

104TH CONGRESS
1ST SESSION

H. R. 834

To nullify the 25 percent pay increase that was afforded to Members of Congress and certain other Government officials by the Ethics Reform Act of 1989; to repeal section 225 of the Federal Salary Act of 1967, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1995

Mr. JACOBS introduced the following bill; which was referred to the Committee on Government Reform and Oversight and, in addition, to the Committees on House Oversight, the Judiciary, Ways and Means, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To nullify the 25 percent pay increase that was afforded to Members of Congress and certain other Government officials by the Ethics Reform Act of 1989; to repeal section 225 of the Federal Salary Act of 1967, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROVISIONS RELATING TO OFFICES AND POSI-**
2 **TIONS IN THE EXECUTIVE OR LEGISLATIVE**
3 **BRANCH.**

4 (a) **APPLICABILITY.**—This section shall apply with
5 respect to each office or position under subparagraph (A),
6 (B), or (D) of section 225(f) of the Federal Salary Act
7 of 1967 (2 U.S.C. 356), as last in effect before being re-
8 pealed by section 3(a).

9 (b) **PAY PROVISIONS.**—Notwithstanding section
10 601(a) of the Legislative Reorganization Act of 1946 (2
11 U.S.C. 31), section 104 of title 3, United States Code,
12 section 5318 of title 5, United States Code, or any other
13 provision of law, the rate of basic pay for each office or
14 position to which this section applies shall—

15 (1) for the period beginning on the date of the
16 enactment of this Act and ending at the close of the
17 day before the first day to which paragraph (2) ap-
18 plies, be equal to the rate payable for such office or
19 position as of the date of the enactment of this Act;
20 and

21 (2) on and after the first day of the first Con-
22 gress beginning after the next election of Represent-
23 atives occurring after the date of the enactment of
24 this Act, be equal to the rate which would then be
25 payable for such office or position if neither section
26 703 of the Ethics Reform Act of 1989 (5 U.S.C.

(d) DEFINITION.—For the purpose of this section, the term “election of Representatives” is used in the same way as such term is used in the twenty-seventh article of amendment to the Constitution of the United States.

(a) APPLICABILITY.—This section shall apply with respect to each office or position under subparagraph (C) of section 225(f) of the Federal Salary Act of 1967 (2 U.S.C. 356), as last in effect before being repealed by section 3(a).

(1) IN GENERAL.—Notwithstanding section 461
of title 28, United States Code, or any other provi-

1 sion of law, the rate of basic pay for each office or
2 position to which this section applies shall—

3 (A) for the period beginning on the date of
4 the enactment of this Act and ending at the
5 close of the day before the first day to which
6 subparagraph (B) applies, be equal to the rate
7 payable for such office or position as of the
8 date of the enactment of this Act; and

9 (B) on and after the date specified in
10 paragraph (2), be adjusted in accordance with
11 paragraph (3).

12 (2) SPECIFICATION OF DATE.—The date speci-
13 fied in this paragraph is the first date, after the first
14 day referred to in section 1(b)(2), as of which the
15 rate of pay payable to a Senator or Member of the
16 House of Representatives (or, if those rates are not
17 the same, whichever is less) is at least equal to the
18 rate payable to a judge of a district court of the
19 United States as of the date of the enactment of this
20 Act.

21 (3) METHOD FOR ADJUSTING PAY.—The meth-
22 od for adjusting pay for an office or position under
23 this paragraph shall be—

24 (A) as required under applicable provisions
25 of law (disregarding any adjustments which,

1 but for this Act, would have taken effect under
2 those provisions during the period described in
3 paragraph (1)(A)); except that

4 (B) the first adjustment taking effect after
5 the end of such period shall (for each such of-
6 fice or position) be equal to such percentage as
7 results in the rate of pay for a judge of a dis-
8 trict court of the United States being equal to
9 the rate then payable to a Senator or Member
10 of the House of Representatives (or, if those
11 rates are not the same, whichever is less).

12 **SEC. 3. REPEAL OF SECTION 225 OF THE FEDERAL SALARY**
13 **ACT OF 1967.**

14 (a) IN GENERAL.—Section 225 of the Federal Salary
15 Act of 1967 (2 U.S.C. 351 and following) is repealed.

16 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

17 (1) Paragraph (1) of section 601(a) of the Leg-
18 islative Reorganization Act of 1946 (2 U.S.C. 31(1))
19 is amended by striking “shall be” through the period
20 and inserting “shall be the rate determined for such
21 positions under this subsection.”.

22 (2) The first sentence of section 104 of title 3,
23 United States Code, is amended by striking “shall
24 be” through the period and inserting “shall be the

1 rate determined for such position under this sec-
2 tion.”.

3 (3) Sections 5312 through 5316 of title 5,
4 United States Code, are each amended by striking
5 “shall be” through the colon and inserting “shall be
6 the rate determined with respect to such level under
7 section 5318:”.

8 (4) Sections 5, 44(d), 135, and 252 of title 28,
9 United States Code, are each amended by striking
10 “determined under” through the period and insert-
11 ing “determined under section 461 of this title.”.

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